

REMARKS

Applicant respectfully requests reconsideration of the application in view of the arguments presented below.

Summary of Office Action

Claims 1-25 are pending.

Claims 1-25 were provisionally rejected on the ground of non-statutory double-patenting over claims 1-23 of co-pending U.S. Application No. 10/750,415.

Claims 1-25 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,850,047 of Itabashi, et al. ("Itabashi").

Summary of Amendments

Claims 1, 11, and 24 were amended. Applicant respectfully submits that the amendments to the claims do not add new matter.

Response to Non-statutory double-patenting rejection

Claims 1-25 were provisionally rejected over claims 1-23 of co-pending U.S. Application No. 10/750,415. Applicant notes that U.S. Patent Application No. 10/750,415 issued as U.S. Patent No. 7,239,697 on July 3, 2007 and is no longer a co-pending application. Accordingly, the provisional double-patenting rejection may be obviated by a terminal disclaimer against U.S. Patent No. 7,239,697. Accompanying this amendment is a terminal disclaimer that terminally disclaims the present application against U.S. Patent No. 7,239,697. Applicant respectfully submits that the terminal disclaimer overcomes the non-statutory double-patenting rejection.

Response to 35 U.S.C. § 102 rejections

Claims 1-25 were rejected as being anticipated by Itabashi. Applicant respectfully submits that claims 1-25 are not anticipated by Itabashi. For

example, Itabashi does not teach or disclose 1) controlling a transition of a switching power supply from providing a first supply level toward providing a second supply level for a subscriber line interface circuit (SLIC), or 2) dynamically controlling a value of at least one power supply controller parameter during the transition to control the transition toward the second supply level (for a SLIC), or 3) that the switching power supply utilizes more than one switching frequency to provide the first supply level, the transition, and the second supply level.

To the contrary, Itabashi is drawn to power supplies for a vehicular combustion engine (see, e.g., Fig. 3; “vehicle operation”, “ignition sw: on”, “engine: start”, “recover”, etc.). A vehicular combustion engine is not comparable or equivalent to a subscriber line interface circuit nor do vehicular combustion engines or subscriber line interface circuits have similar operational states or supply level requirements. Applicant submits that Itabashi is non-analogous with respect to the amended claims. Any transition control of Itabashi is for the operational states of a combustion engine. Finally, although Itabashi discloses the use of PWM control of supply levels, applicant submits that Itabashi does not teach or suggest varying the switching frequency of the power supply for different operational states or different supply levels.

In contrast, amended claim 1 includes the language:

1. A method comprising:
controlling a transition of a power supply from providing a first supply level toward providing a second supply level for a device, wherein the device is a subscriber line interface circuit (SLIC); and
dynamically controlling a value of at least one power supply controller parameter during the transition to control the transition toward the second supply level, wherein the power supply utilizes more than one switching frequency to provide the first supply level, the transition, and the second supply level.

(Claim 1, as amended)(*emphasis added*)

Similar arguments may be made for amended claims 11 and 24:

11. An electronic device comprising:

a supply level controller coupled to control a variable power supply to supply power at a supply level for the electronic device, *wherein the electronic device is a subscriber line interface circuit (SLIC);*

a transition-to-target controller coupled to control the supply level controller to control the variable power supply to supply power at approximately a first supply level for the electronic device and to control a transition of the power from approximately the first supply level toward a second supply level prior to controlling the variable power supply to supply power at approximately the second supply level for the electronic device; and

a controller parameter(s) controller coupled to control one or more power supply controller parameters for the supply level controller dynamically during the transition from the first supply level toward the second supply level, wherein the variable power supply utilizes more than one switching frequency to provide the first supply level, the transition, and the second supply level.

(Claim 11, as amended)(*emphasis added*)

24. An apparatus comprising:

means for controlling a variable power supply to supply power at approximately a first supply level for an electronic device, *wherein the electronic device is a subscriber line interface circuit (SLIC);*

means for controlling the variable power supply to control a transition of the power from approximately the first supply level toward a second supply level prior to controlling the variable power supply to supply power at approximately the second supply level for the electronic device; and

means for dynamically controlling a value of one or more power supply controller parameters during the transition, wherein the variable power supply utilizes more than one switching frequency to provide the first supply level, the transition, and the second supply level.

(Claim 24, as amended)(*emphasis added*)

Thus applicant submits amended claims 1, 11, and 24 are not anticipated by Itabashi. Given that claims 2-10 depend from claim 1, claims 12-23 depend from claim 11, and claim 25 depends from claim 24, applicant submits claims 2-10 and 12-25 are likewise not anticipated by the cited reference.

Applicant respectfully submits that the 35 U.S.C. § 102 rejections have been overcome.

Conclusion

In view of the amendments and arguments presented above, applicant respectfully submits the applicable rejections and objections have been overcome. Accordingly, claims 1-25 should be found to be in condition for allowance.

If there are any issues that can be resolved by telephone conference, the Examiner is respectfully requested to contact the undersigned at (512) 858-9910.

Respectfully submitted,

Date October 23, 2007

William D. Davis
William D. Davis
Reg. No. 38,428

DAVIS & ASSOCIATES
P.O. Box 1093
Dripping Springs, TX 78620